

Oestreicher and Company

28 S. MAIN ST.

We have some odds and ends, broken lots of different ones gathered during stock taking, and placed on sale to be closed at ridiculously low prices.

Children's and Misses' Caps in price from 25 to 50c Choice 15c.

25c Ladies' Cloth Sailors 15c
48c " Walking Hats 29c
45c Sailor " 29c
90c Walking " 60c

Fur Collarettes
Only a few on hand; choice \$5 Furs at \$2.75.

Cloaks
This department is still prepared to supply some high-grade Capes or Jackets at surprisingly low prices.

Children's Wraps
Nobby things at less than cost of material.

LOST!

Somewhere between sunrise and sunset, one golden hour set with sixty diamond minutes.

No Reward Offered.

Remember your time is never lost when looking through our large and well selected stock of groceries.

G. A. GREER.

An Alliance

Between your stomach and the groceries you buy at

Byard's Pure Food Store

Will aid your digestion and enable you to have more enjoyment in your life. First items for your careful consideration, each one for a king. First, Asparagus—packed in three-square tins. Brand—Royal Scarlet. Quality—Nothing finer to be had. Price forty cents per tin. Second, Fine Apple—packed in two tins. Brand—Royal Scarlet. Quality—Crisp, juicy, peeled, eyed and cored so completely that each slice is a perfect little apple. Price, preserved in pure sugar syrup, twenty-five cents per tin. Third, Sliced Lemon—Orange—Peach—packed in three tins. Brand—Cobweb. Quality fine. Price twenty-five cents per tin.

P. L. BYARD'S PURE FOOD STORE
Phone 49 19 Merrimon Ave

ESTABLISHED.
Good paying business for sale. For particulars address N. O. P. Gazette.

ON PATTON AVENUE, NO. EIGHTEEN CORNER STORE FOR RENT. APPLY TO H. C. CHANDLER, FIRST NATIONAL BANK BUILDING.

PROJECTED AUDITORIUM

Proposal Laid Before the Board of Aldermen.

Grand Scheme for Development of Nellie Park.

Corporation Desires the Cooperation of the City.

A Public Park and a Big Auditorium Building.

A Contract by Which All Receipts From the Enterprise for Five Years Shall go Towards Discharging its Obligations.

At the meeting of the board of aldermen last evening Capt. James P. Sawyer presented the following plans, which were read by the clerk, relative to the purchase of lands and the erection thereon of an auditorium. On account of a severe cold the captain was unable to make any extended remarks relative to the necessity of the project. He only wished to be understood as having no interest whatever in the undertaking, save his interest in the welfare of Asheville.

The undersigned proposes, first, that if the city of Asheville will lend to the corporation hereinafter mentioned \$20,000 for five years, with interest at six per cent., payable annually, out of the bond sinking fund or any other funds, then the undersigned agrees as follows:

First. That a corporation with a capital stock of \$20,000 shall be formed under the laws of this state by citizens approved by you.

Second. That said new corporation will purchase the Nellie Park property, containing five and three-fourths acres, on Patton avenue, at \$2,000 and upon it at once erect an auditorium building, and also beautify the grounds for a public park and the said auditorium building to cost not less than \$7,500.

Third. That the said new corporation will execute to a trustee, named by you, a deed in trust, which shall be a first lien upon said property and building, in the usual form of such instruments, for the purpose of securing said loan of \$20,000, and the building shall also be kept fully insured for the same purpose.

Fourth. That of this \$20,000, the sum of \$12,000 will be required to be paid in cash to be used in the purchase of said grounds and the remaining \$8,000 shall be deposited in the city treasury, to be paid to the said new corporation as it may be needed in the erection of the auditorium building and the proper improvement of the grounds for park purposes.

Fifth. That the new corporation will also enter into a written contract with the city of Asheville to the following effect:

First. That during the five years covered by the said loan the grounds of said park shall be kept in good condition and always open to the public.

Second. That during the said term of five years the aggregated rental of the auditorium shall not exceed what is necessary to pay approximately the interest on the loan, the state, county and city taxes, insurance, repairs and other necessary expenses; and that the amount of rent to be charged for the auditorium shall be fixed by a committee of three, one of whom shall be your mayor, another appointed by the new corporation, and the third to be appointed by the board of aldermen from the citizens at large; and that committee shall collect all rents and pay them immediately to the city treasurer and by him be applied to the payment of interest, insurance, taxes and repairs upon the order of the committee.

Third. That during the said term of five years the city of Asheville shall have the privilege and option of purchasing said property, grounds and buildings at \$20,000.

Fourth. That in the event the rents shall exceed in aggregate the items above mentioned, the surplus shall be paid to the city upon said debt; it being expressly understood that the new corporation shall make no profit during the said five years.

Frank Carter, as chairman of the committee on legislation of the board of trade, and as a citizen, desirous of promoting the interests of the city, urged the necessity of having a place in which the various conventions could be invited to hold their meetings. He did not want it understood that he represented officially the board of trade, but spoke of this plan for the erection of an auditorium as being the one thing more than any other which led to its organization.

The matter was referred to the finance committee and city attorney. The projectors of the auditorium scheme are local business men.

THE CAKE WALK.

From every standpoint the negro cake walk given in the opera house last evening was a success. Local talent was in abundance and the large and appreciative audience applauded many of the numbers warmly. Hon. W. J. Cooke, representing the judges, awarded the cake to little Johnnie McDeviss and Nora Clayton, neither of whom are over nine years of age. Ed. Burgett and Ella Helbig came in second.

A WITNESS WITH HIS HAT ON

Being a Jew he was Indulged by Justice Carter.

Police Justice Carter's court was a scene of activity yesterday morning. Glendon Rose and Israel Page, the two Jews who had an altercation the day before, were both convicted and fined \$5.00 each.

The case of Dalton, the "praying prisoner," was continued until this morning. William Wilson and Junius Mace, charged with shooting, night before last, on South Main street, were fined \$25.00 and \$10.00 respectively.

The case of J. J. Treadway, charged with an assault upon a young Hebrew in the employ of Sam Finestine, by the name of Littman, was called. The Hebrew declined to be sworn with his hat off, and when called to the stand placed his hat upon his head and took his seat in the witness chair. Policeman Lyerly, not being conversant with Mosaic law, at once proceeded to take the hat off the witness' head, and placed it on the table. The witness, however, did not propose to be sworn with uncovered head, and instantly removed the hat and grasped the book. The policeman again made a dive for the hat, but was informed by the court to let it alone. The hat was allowed to remain.

The Jew testified as to the particulars of the assault and when asked what the defendant did to him said: "He stretched forth his hands and smote me on the nose." The court held that the defendant was guilty and adjudged that he pay a fine of \$2.00.

Later in the day the defendant Treadway had issued a warrant against the Jew, charging him with perjury on the trial for the assault, which was heard before Squire H. C. Jones. The state was represented by Judge Shuford, and the defendant by W. F. Brown. The case was dismissed and the prosecutor taxed with the costs. All of this trouble grew out of the street drumming business which is in violation of an ordinance.

KILLING OF ARANGUREN

DUE TO HIS BETRAYAL BY ONE OF HIS SOLDIERS.

Acting Captain General Visits the Maine—Cruiser Infanta Maria Teresa Coming to New York.

Havana, Jan. 28.—The killing of Gen. Aranguren was due to his betrayal by one of his soldiers, who was taken prisoner, near Tapasco, early this week. It is said Aranguren's body will be turned over to relatives here and a funeral allowed. During the affray one young woman in a hut upon whom the Cuban leader was calling, was seriously wounded. The Spanish troops tried to bring her to this city, but she died shortly after reaching the railway station at Campo-Florida.

Gen. Gonzalez Parrado, acting captain general, this morning visited the United States battleship Maine.

The Spanish cruiser Infanta Maria Teresa has been ordered to New York.

THE STATE OF TRADE

Dunn's Review of Business for the First Month of the Year.

New York, Jan. 28.—Dunn's will say tomorrow: "The first month of the new year has brought more increase in business but less improvement in prices than expected. With payments through the clearing houses 7.3 per cent. larger than 1897, and probably the largest ever known in any month, with railroad earnings 11.2 per cent. larger than the best of past years, the fact that prices are very low only shows more clearly the increase in quantities of products sold. Nor is there any disposition to refuse orders, even at present prices; indeed, the competition of manufacturers seeking orders alone prevents a rise. Most of them have all they can manage, many working night and day, one great steel concern running on Sunday; but the works not yet filled with orders, are seeking contracts at low prices as have ever been made, indicating even these are not entirely unprofitable.

The settlement of wages on a 10 per cent. advance in April for 2,000,000 coal miners of the central region, with other changes, will tend toward a larger demand for products of all kinds, though also toward some increase in the cost of manufacture. Political apprehensions have been allayed rather than increased by the presence of the Maine at Havana, and by the course of domestic events.

ATTEMPT AT MURDER.

There was a dastardly attempt at assassination on Upper Hominny in the western part of this county night before last. A good citizen by the name of John Rhodes was seized with his family at their home, engaged in shelling corn. About 9 o'clock they were startled by the report of a pistol and the shattering of the window glass. Mr. Rhodes, who was sitting near the window, fell to the floor with a bullet wound in the head. The ball entered the skin near the edge of the skull, and ploughed through to the skull, inflicting only a flesh wound. The would-be assassin is not known, and the motive for such an attempt can not be accounted for by Mr. Rhodes or his neighbors, as he was a quiet, inoffensive man, without any known enemies. The occurrence has wrought up the good people of that section and every effort will be made to apprehend the perpetrator of the cowardly deed.

One Minute Cough Cure cures quickly. That's what you want!—C. A. Raynor.

SENATE VOTES TO PAY IN SILVER

Teller Bond Resolution Passed, 47 to 32.

Efforts to Amend the Resolution Defeated.

Financial Straw Thoroughly Threshed in the Closing Debate.

Many Senators Enter the Discussion on Both Sides.

No Demonstration When the Vote Was Announced—Senator Wolcott's Advocacy of the Measure.

Washington, Jan. 28.—The Teller bond resolution, declaring United States bonds payable in standard silver dollars, passed the senate by a vote of 47 to 32 at seven o'clock tonight. There was no demonstration when the vote was announced. The senate immediately thereafter adjourned until Monday. Several amendments, proposed during the last hour, containing provisions modifying or nullifying the silver text of the original resolution, were speedily defeated.

Senator Stewart, of Nevada, began the day's debate. He was followed by Senators Cannon, Jones, of Arkansas, White, Wolcott, Chilton, Gray, Bacon, Tillman, Warren, Butler and Rawlins in favor of the resolution, and by Senators Fairbanks, Foraker, Nelson, Allison, Hawley, Gallinger, Elkins and Cullom against it.

Senator Wolcott, in his advocacy of the resolution, asserted it had nothing to do with the question of the bill for the unlimited coinage of silver. It was a resolution which tore down the legal principle covering the phraseology of bond indebtedness. The people of the west might be trusted with the national honor. They never voted, never would vote, to pay a national debt in any but the best money.

Senator Jones criticized the position taken by Senator Allison. He thought the resolution would squarely align those who held various financial beliefs. "I believe," he said, "that the people's conviction upon this question of bimetalism is more firmly fixed than ever before. They are determined to restore silver to its status before 1873 and we will do all we can to accomplish this result. We shall march in a solid phalanx, with shields locked upon the day of our doom in our efforts for the restoration of silver, and the republican cries that silver is dead will fall upon deaf ears."

Senator Cannon said that if there was no other reason for his supporting the resolution, he would vote for it "to serve notice upon every creditor of the United States that he should live up to the contract he had entered into with the government."

The debate closed with a speech by Senator Aldrich, leader of the opposition. He characterized the resolution as a "miserable, ineffectual affair," saying, "Its admitted purpose is to divide, distract and defeat the opponents of free coinage. It has no purpose except that. We intend to meet this issue courageously. We are responsible to the people that so far as we are able, we will maintain their honor and credit."

THE BOND DECISION

Grounds on Which Injunction was Continued by Judge Norwood

The Gazette was yesterday given access to a copy of judgment rendered by Judge Norwood on Wednesday in Buncombe county bond case, which, unless the appeal to the supreme court reverses it, will render null and void the county's Spartanburg and Asheville railroad bonds of \$98,000. Relieved of legal verbiage and other immaterial matter, the judgment contains the following statements in regard to the case, the first series of findings being those on which a judgment was rendered and the latter being purely historical, but of much interest as showing the intention of the county in the matter of the bonding:

I. That the charter of the railroad company does not authorize the corporation to receive subscriptions to its capital stock from any county or other municipal corporation.

That no statutes empowered any county to make such subscriptions, or to issue bonds in order to pay for such subscriptions.

That the act of 1876-7 concerning the subscription of Buncombe county to the Spartanburg and Asheville Railroad, ratified on February 27, 1887, was not passed in accordance with the requirements of Sec. 14, Art. 2 of the constitution of North Carolina.

That no part of the S. and A. railroad lying in North Carolina had been completed prior to the election in 1875.

That neither citizens of Buncombe nor the county had any pecuniary interest in the S. and A. road unless it was that the railway projected would pass through a portion of the county.

That an election was held in 1875 at which a majority of votes were cast in favor of subscribing \$100,000 to the capital stock of the S. and A. road, a fact stated in the records of county commissioners.

That during 1876-7-8 as the work of

grading the S. & A. road progressed through Buncombe county, the county commissioners issued the \$100,000 in coupon bonds. That the general assembly in 1892 passed an act entitled, "An Act to Authorize the County of Buncombe to Fund its Bonded Indebtedness," which act was ratified on February 25, 1893, and which purported to authorize the issuance of \$98,000 in coupon bonds, "as a continuation of the bonded indebtedness of the said county created for the purpose aforesaid," for the purpose of funding the bonded indebtedness of the county.

That on July 1, 1893, these bonds were issued. That between the years 1877 and 1895 the county commissioners every year levied and collected a tax sufficient to pay the interest on these bonds issued in 1876-7-8 and to pay \$2,000 on the principal.

Since July 1, 1895, the board has levied and collected a sufficient tax to pay the interest on the \$98,000 bonds last issued.

RAILWAY COMMISSION

Contempt Case Against Col. Andrews Postponed

Special to The Gazette.

Raleigh, Jan. 28.—The railway commission to-day postponed until February 17 any action in the contempt case against A. B. Andrews and other Southern officials. The passenger rate question will be settled then also.

Col. Andrews was summoned this evening in the case before the Wake superior court for the next term, Governor Russell, who is real prosecutor, signing the bond in all his suits. No complaints have yet been filed.

TO CLOSE EMMA STATION.

Raleigh, Jan. 28.—The railway commission today gave the Southern permission to close Emma, a station three miles from Asheville, upon the statement that the agent said he had earned sixty-nine cents there last month and declined to act any longer.

WAR CLAIM BILL PASSES

HOUSE VOTES \$288,000 TO METHODIST CHURCH AGENTS.

A Strong Majority in Favor of the Measure—A Flash of the Light of Fraternal Unity.

Washington, Jan. 28.—By a vote of 188 to 67 the house to-day passed the bill appropriating \$288,000 to pay the Methodist church, south, for damages sustained by the seizure of its publishing house at Nashville, Tenn., by the Union army in 1863, without referring the claim to the court of claims.

This bill has been before the house on two previous Fridays, on which days the private calendar was the order of business under the rules. An attempt to head it off by interposing the District of Columbia appropriation bill failed by a large majority early in the session, and the bill was discussed under an agreement to vote at 4 o'clock.

The measure was antagonized by Representative Dalzell of Pennsylvania, Dingley of Maine, Hepburn of Iowa and Connelly of Illinois, and advocated by Representative Dooliver of Iowa, and Grosvenor of Ohio. The speeches of the latter two aroused much enthusiasm, recognizing as they did, the existence of a new condition of things, when the American congress could dispose of this class of claims in the dawning light of fraternal unity, and not in the darkness of the old bitterness of antagonism and strife.

At 4:20 o'clock the house took a recess until 8.

The evening session was devoted to private pension bills.

CHIEF JAMES ELIGIBLE

Not Debarred From the Position of Police Justice

The statement in the State Register this week that W. A. James, Jr., now chief of police, is not eligible to the office of police justice to which he is aspiring is not correct. The Register's mistake was probably caused by the general impression prevailing in the community that the law requires the police justice to be a lawyer.

The language of the statute is that the police justice must be "a discreet citizen and qualified elector of the city of Asheville." This is the only qualification for the person holding that office.

Mr. James being both a discreet citizen and a qualified elector of the city of Asheville, there is no statutory debarment of him as a candidate for the office to which he aspires.

TO CURE A COLD IN ONE DAY
Take Laxative Pimento Quinine Tablets. All druggists refund the money if it fails to cure. 25c. The genuine has L. B. Q. on each tablet.

CONFERENCE WITH DOLE

Hawaiian Annexation Informally Discussed.

Furnished Points for Congress to Consider.

Declines Proffered Ceremonies in His Honor.

Wont Pay his Respects to Liliuokalani.

Says if She Waits for Him to Call She Will Wait a Long Time—Witnesses a Special Cavalry Drill.

Washington, Jan. 28.—The question of annexation was formally discussed at a conference to-day between Mr. Dole, the Hawaiian president, and Senator Davis and Representative Hitt, chairmen respectively of the senate and house committees on foreign relations.

Dole will have a further talk with Senator Davis for the purpose of expressing views which may be of use in the discussion of the annexation treaty in executive sessions.

President Dole attended a special cavalry drill by the Sixth regiment at Fort Myer this afternoon. He again demonstrated his democratic tastes by requesting that no escort attend him, and even the firing of a salute be dispensed with. He also, upon hearing that senators and representatives had proposed that congress invite him to visit its sessions, requested this expression of courtesy be withheld.

Mr. Dole spent a part of to-day preparing matter to be sent to Honolulu by mail. His attention was called to-day to a statement made by ex-Queen Liliuokalani in an interview that she presumed Dole would call on her during his stay, but she should wait for this visit before extending a similar courtesy to him. Dole remarked with emphasis that Mrs. Dole would find it necessary to wait a very long time for him to call.

FOR GREAT STEAMSHIPS.

Newport News, Va., Jan. 28.—The new dry dock which Willis P. Huntington proposes to build here will be over eight hundred feet long, and will cost one million dollars. The contract for the immense basin will be let within thirty days. Mr. Huntington will remain in this city until Friday or Saturday.

SECRETARY ALGER RECOVERING.

Washington, Jan. 28.—The condition of Secretary of War Alger is slowly improving, and it is hoped that he will soon be well enough to leave Washington and go to some health resort to build up his system.

WANT LINDSAY TO RESIGN.

Frankfort, Ky., Jan. 28.—The senate to-day passed the resolution that was passed by the house yesterday asking for the resignation of Senator Lindsay.

NANSEN TO ACCOMPANY PEARY.

New York, Jan. 28.—In a farewell lecture to-night explorer Nansen declared that he might accompany Peary on the latter's next polar trip.

NORTH CAROLINA GEMS.

The rare beauties of nature, so well represented in Western North Carolina, are becoming better known every day as people who are better educated in the formation and utility of minerals have from time to time shown their appreciation of these Gems by using them in all kinds of adornment.

We have decided to close out some of these gems and offer them at prices that should make them all sell in a very few days.

WE OFFER:

One lot of 41 gems at 50 cents each.
One lot of 40 gems at 60 cents each.
One lot of 169 gems at 75 cents each.
One lot of 46 gems at \$1.00 each.
One lot of 32 gems at \$1.25 each.—Sold.
One lot of 5 gems at \$1.50 each.
One lot of 3 gems at \$2.00 each.
One lot of 5 gems at \$2.50 each.—Sold.
One lot of 3 gems at \$4.00 each.
One gem for \$8.00.

ARTHUR M. FIELD,
LEADING JEWELER,
Church Street and Patton Avenue, Asheville, N. C.